

**MINUTES  
CITY OF DOVER  
ORDINANCE REVIEW MEETING**

**Thursday July 26, 2012 @ 4:00 pm**

**DOVER CITY HALL**

**699 LAKESHORE AVENUE, DOVER, IDAHO**

Mayor Curless opened the Ordinance Review Meeting at 4:07 pm.

Present: Council Members – Peggy Burge, Dave Darling, Annie Shaha and Denise Travis.

Staff present: Kym Holbert, City Clerk.

There was no public present.

Discussion was held regarding Ordinance 123 – Special Events. Attorney verbiage changes were incorporated and several sections from Boise, Sun Valley and Fort Worth Texas ordinances were inserted or added.

The following changes to the second draft were decided:

1. Section 1. Definitions – delete entire definition for Special Event and replace with Sun Valley definition to read “organized non-routine activity on public or private property that may significantly impact or affect neighboring property owners, residents and businesses which may require more parking spaces than the sponsor’s property can accommodate.”
2. Section 1. Definition – add “Sound Amplifying System” from Sun Valley definitions to read “Sound Amplifying System” shall mean any system or electrical hookup or connection, loudspeaker or electronic system, equipment, apparatus, device, instrument, or machine designed for or intended to be used for the purpose of amplifying or producing sound or increasing the volume of the human voice, musical tone, vibration, or sound wave.”
3. Section 3. Exceptions to Permit Requirement – add from Boise exceptions “First Amendment events, where the expressive or associative activity being exercised is protected by the Idaho Constitution and the First and Fourteenth Amendments to the United States Constitution.”
4. Add to the Special Events Application the following from Fort Worth:
  - a. “A Noise Mitigation Plan that addresses noise impacts on surrounding businesses and residences if the Special Event includes a sound amplifying system”;
  - b. “A Traffic Control Plan, Parking Plans and Trash/Recycling Plans;
  - c. “Details of how the Applicant will clean up the area after the Special Event, if on Public Property”; and
  - d. “An approved Sanitary Facilities Plan per Panhandle Health District must be supplied.”
5. Section 4.l. to be combined with Section 4.d. to read “Applications approved for a Special Event Permit by the City shall be considered a legally binding contract between the City and Applicant of the Special Event as of the date of approval by the City. The Applicant shall adhere to and be legally bound by any commitments made in an application submittal that has been approved.”
6. Add to Section 4.as Section 4.l – “As additional consideration for issuance of a permit, applicant, when charging an admission fee for the Special Event, shall pay the City three percent (3%) of the admission price charged attendees. Applicant, at the reasonable discretion of the City, shall prepay the estimated amount at the time the permit is issued. Such payment shall be in lieu of any local option tax for such Special Event.”

7. Section 12. – Authority to Halt or Cancel shall be moved as Section 11. – with the words “Special Event Held on Public Property” added to the title.

**Clerk was directed to make the above changes and have marked-copies available for Council review.**

Council then discussed the Draft Firearms Ordinance No. 124. It was decided that the first draft would read as follows:

“SECTION 1. DEFINITIONS. In construing the provisions of this Ordinance the following definitions shall apply:

1. “Deadly Weapon” shall mean: Any firearm, whether loaded or unloaded; or
  - a. Any weapon which is capable of producing death or great bodily harm, including, but not limited to, any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given or with which dangerous thrusts can be inflicted, including sword canes and any kind of sharp pointed canes; or
  - b. Slingshots, flippers or bludgeons; or
  - c. Bow and arrow, crossbow or related weapons; or
  - d. Any other weapon with which dangerous wounds can be inflicted.

## SECTION 2. PERMITS.

The City Council may, at any time, upon receipt of proper application, grant permits to shooting galleries, gun clubs and others for shooting in fixed localities and under specified rules. Such permits shall be in writing, attested by the City Clerk and conforming to such requirements as the City Council shall demand, and the permit thus issued shall be subject to revocation at any time by action of the City Council. Such rules and regulations concerning permits and the revocation of permits shall be adopted by the City Council by Resolution.

## SECTION 3. DISCHARGE OF DEADLY WEAPONS PROHIBITED.

- a. It shall be unlawful for any person to use or discharge deadly weapons of any kind or description within a Residential Zone and/or a Commercial Zone within the City Limits.
- b. It shall be unlawful for any person to use or discharge deadly weapons of any kind or description carelessly or without due caution and in a manner so as to endanger or which is likely to endanger any person or property within a Suburban, Rural, or Agricultural Zone within the City Limits

SECTION 4. EXCEPTIONS. The discharge of any deadly weapon of any kind or description under the following circumstances IS NOT a violation of this Ordinance:

- a. Protection of Life: The discharge of a deadly weapon in the protection of life or property; or
- b. Law Enforcement Officer: The discharge of a deadly weapon by law enforcement during the course of his or her duties; or
- c. Military Personnel: The discharge of a deadly weapon by military personnel at military functions such as parades and funerals, and the firing of blank charges by such personnel; or



- d. Permitted: The prohibitions of this Ordinance shall not apply to a licensed shooting gallery or on private grounds or premises within Suburban, Rural, or Agricultural Zones within the City Limits and under circumstances when such weapon can be fired, discharged or operated in a manner such as not to endanger persons or property, and also in such manner as to prevent the projectile from traversing any ground or space outside the limits of such gallery, grounds or residence.

Nothing contained in this Ordinance shall be construed to prevent the carrying of such weapons, when unloaded, to or from any range or gallery or to or from an area where the discharge of such weapon has been permitted by law. “

The balance of the Ordinance Sections 5 – 7 would be the standard Ordinance Sections for Penalties, Severability, and Effective Date.

**Clerk was directed to have a first draft available to Council as soon as possible.**

**A motion was made by Dave Darling to adjourn the Ordinance Review Meeting, Peggy Burge seconded, all in favor, motion carried.**

Mayor Curless adjourned the Ordinance Review Meeting at 5:55 p.m.

Kym Holbert, City Clerk

**MINUTES  
CITY OF DOVER  
COUNCIL MEETING  
THURSDAY July 12, 2012 @ 7:00 p.m.  
DOVER CITYHALL  
699 LAKESHORE AVENUE, DOVER, IDAHO**

**CALL TO ORDER**

Mayor Curless called the July 12, 2012 City Council Meeting to order at 7:00 p.m.

Present at this meeting:

Council Members: Peggy Burge, Dave Darling, Annie Shaha and Denise Travis.

Staff: Bryan Quayle (City Planner); Rob Tate (City Engineer); Colleen Culwell (Treasurer); Kym Holbert (City Clerk). Scott Hanson, Independent Highway District (IHD) was also present.

Pledge of Allegiance

Public Present: See Sign-in Sheet.

Public Comment: Bill Strand, Dover resident, asked question re: City Audit and new FY Budget process. He stated that he would think that Council would need the financial reports and Audit before going into new budget cycle. He was told that the City would be going forward with the new Budget cycle as prescribed by State Code and that the City Audit is moving forward, but waiting for the DURA Audit.

**CONSENT AGENDA**

A motion was made by Annie Shaha to separate the 3 items on the Consent Agenda, Peggy Burge seconded, all in favor, motion carried.

A motion was made by Peggy Burge to approve 1) June 14, 2012 Council Mtg. Minutes as corrected, Dave Darling seconded, all in favor, motion carried.

A motion was made by Denise Travis to approve 2) June 28, 2012 Special Emergency Mtg. Minutes, Peggy Burge seconded, all in favor by roll call vote:

Annie Shaha	Aye
Dave Darling	Aye
Peggy Burge	Aye
Denise Travis	Aye

Motion carried.

A motion was made by Peggy Burge to approve 3) June 2012 Bills, Dave Darling seconded, all in favor, motion carried.

**MONTHLY REPORTS**

IHD: Scott Hanson reported to Council that dust abatement was done on Pine Street, Syringa, Cedar Ridge, Essex and Rocky Point. Watching Cedar Ridge Road, pretty dry. Pine Street is looking good at this time.

TREASURER: A/R accounts are 96% current. The new meter reader is still working out very well and will save time for both the Operator and the Treasurer. Draft Budget should be ready by Monday July 16<sup>th</sup> for August 23, 2012 Public Hearing at 4pm.



ENGINEER: Judicial Confirmation re: New Intake Project has been scheduled for **July 18, 2012 at 10 am** at the Bonner County Courthouse. It would be good if Councilmembers attended.

Project Specific Agreement w/DURA re: Intake Project will be signed at the joint DURA/Council Mtg. August 1, 2012, once the Judicial Confirmation has passed.  
**Mayor directed to sign PS Agreement once DURA has signed.**

John Tindall of DEQ has received the new Facility Plan needed and then the Permit process can move forward.

The property in question adjacent to Railroad Ave. and mitigated as "wetlands" does not belong to the City, and is still state right-of-way.

**Engineer will meet with State Right-of-Way Dept. Yvonne Dingman.**

City will need to move some utilities for the new road build, move a hydrant at Railroad and cap off a sewer line on Loretta Lane.

PLANNER: Building Permits are up for the year. CO process going ok, but still needs some work, especially with Temporary CO's and their acceptance by the County Assessor's office.

Flood plain issues in Dover Bay re: building slab on grade has been approved, since "no net rise" has been established.

Myringa Water District contact person is now Gary Rench.

P&Z Commission is working on the sign ordinance, agriculture zoning element and commercial zoning.

A floodplain map is available for Staff in a workable size. Standing water is in the designated swales as needed.

Holy Spirit Episcopal Church and Thorne Research will be installing new signs at the highway.

Federal Parks & Rec. did not make the appointments as planned. Buoy project still needs a permit.  
**Planner directed to move forward with project and report back to Mayor.**

219 4<sup>th</sup> Street has 2 vacant lots adjacent which Dover Slough runs through. The platted lots are eligible for building. Drainage needs to be addressed and maintained for all 3 lots and the vacated right-of-way. The property owner had questions re: assessment and taxes.

Council asked if the City could get new zoning maps. Planner explained that to change the maps incurs a high cost so to save on costs the P&Z Commission agreed to wait and do only once, especially since the new highway alignment may affect zoning re: commercial.

STREETS: After repairs made on Pine Street, a section of gravel wouldn't bind, so ground concrete and mag chloride were used to remedy the problem.

Per Idaho Code, the City will need to replace all Road signs with "new" reflective styles no later than January 2013.

BCATT (Bonner County Area Transportation Team) A grant webinar was offered in Sandpoint through CTAI and hosted by Cliff Warren, Transportation Manager. Denise Travis attended and shared with Council that it

was a very informative program, mostly transportation grant information, but could be useful in grant writing in general for the City.

**It was decided by Council to include "Emergency Preparedness Issues" on a future Agenda.**

DURA (Dover Urban Renewal Agency) The PSA (Project Specific Agreements) are ready to move forward with the City.

MAYOR The Mayor reported to Council that the City needs to keep everything within the budget and that increased spending on Staff needs to be balanced.

Mayor suggested that Council take a short break at 8:25 pm. Council came back from break at 8:30 pm.

### **UNFINISHED BUSINESS**

Discussion was held regarding Resolution 83 – Audio Recordings.

**Clerk was directed to change: Section 4 to read "If a copy of the tape is requested, the cost for such copy shall be Five Dollars (\$5.00)." which moves the balance of original Sect.4 to become Section 5 and Section 5 becomes Section 6.**

**A motion was made by Denise Travis to approve Resolution – 83 Audio Recordings as changed, Peggy Burge seconded, all in favor by roll call vote:**

Annie Shaha	Aye
Dave Darling	Aye
Peggy Burge	Aye
Denise Travis	Aye

**Motion carried.**

Brief discussion was held re: Talus Rock ER Appeal. Planner and Engineer reported to Council that they have been in communication with Susan Weeks, Atty, re: the same. Attorney's advised Staff to have verbal communication only at this time with Mr. Pedersen. Staff will put some issues in writing per the attorney advice and an e-mail will be sent to Mr. Pedersen with attorney direction to answer appellant in writing, then process can go forward.

**A motion was made by Peggy Burge to continue Talus Rock ER Appeal to the August 2012 Council Meeting, Dave Darling seconded, all in favor, motion carried.**

**Engineer excused himself from the Council Meeting.**

### **NEW BUSINESS**

Discussion was held re: Addressing and mapping for the City. It was stated that the City has always had a mixed addressing system – grid and distance. Mapping processing is changing with technology. Council recommended that the Planner and Staff continue working on the GIS and mapping issues in Dover.

Discussion was held re: Northland Cable Franchise Agreement Renewal. Mayor reported to Council that the local cable contact in Sandpoint was informed that the City may want to renegotiate the Franchise Agreement.

No response at this time from the Sandpoint contact. Agreement good through August 9, 2012. No other decision was made at this time.



Brief discussion was held re: Funding ideas for the City. No decision was made.  
**Clerk was directed to move this item to the August Agenda.**

Denise Travis presented Council with copies of a draft plan for a Logo Contest including rules, contact and standards the City is requesting. Council asked where the \$100 prize was coming from. It would be made by donations, or Denise will cover it personally. The plan is to post the contest rules in the next couple weeks and have the logos submitted no later than August 29, 2012. Council will review and vote on the logos at the September 2012 Council Meeting.

**Clerk was directed to carry this item over to the September 2012 Council Meeting.**

Denise Travis reported to Council recycling ideas for the City per Waste Management suggestions and that there is a new Material Recovery Facility (MRF) in Spokane. Very brief discussion was held re: the same.  
**Due to the time of night, Clerk was directed to carry this item over to the October 2012 Council Meeting.**

#### **ADJOURNMENT**

**A motion was made by Peggy Burge to adjourn the Council Meeting,**

**A motion was made by Annie Shaha to convene into Executive session pursuant to provisions of Idaho Code, 67-2345, Subsection 1(b), Denise Travis seconded, (Peggy Burge withdrew her motion to adjourn) all in favor by roll call vote:**

<b>Annie Shaha</b>	<b>Aye</b>
<b>Dave Darling</b>	<b>Aye</b>
<b>Peggy Burge</b>	<b>Aye</b>
<b>Denise Travis</b>	<b>Aye</b>

**Motion carried.**

Executive Session convened at 10:10 pm.

Clerk, Treasurer and Planner were excused from the meeting.

**A motion was made by Peggy Burge to close the Executive Session portion of the meeting at 11:15 pm, seconded by Dave Darling, all in favor by roll call vote:**

<b>Annie Shaha</b>	<b>Aye</b>
<b>Dave Darling</b>	<b>Aye</b>
<b>Denise Travis</b>	<b>Aye</b>
<b>Peggy Burge</b>	<b>Aye</b>

**Motion carried.**

No action was taken nor any decisions made during the Executive Session.

#### **ADJOURNMENT**

**A motion was made by Annie Shaha to adjourn the Regular Meeting, Dave Darling seconded, all in favor, motion carried.**

Mayor Curless adjourned the Regular Council Meeting at 11:16 p.m.

Kym Holbert, City Clerk

# CITY OF DOVER

MEETING DATE: 7-12-12

## SIGN-IN SHEET

Please Print  
NAME

ADDRESS

Bill Strand	300 Bergstram, Dover 10
Sharon Strand	
Scott Hanson	I H D
Jane Kwast	518 Hornby Pl Dover.
Duke Craven	505 Hornby Pl Dover
R. H. Bloom	401 Opal Ct.
S. J. Bloom	401 Opal Ct.
Diane Brockway	Mann Town Dover
Susan Beard	511 Hornby Pl. Dover, ID
Tf + Roschell Cobb	Lumbard Place/SPOKANE
John Stetler	617 Ames way Dover